

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRANSCONTINENTAL GAS PIPE LINE
COMPANY, LLC
2800 POST OAK BOULEVARD
HOUSTON, TEXAS 77251-1396,

Plaintiff,

v.

PERMANENT EASEMENT FOR 2.02
ACRES AND TEMPORARY EASEMENTS
FOR 2.76 ACRES IN MANOR TOWNSHIP,
LANCASTER COUNTY,
PENNSYLVANIA, TAX PARCEL
NUMBER 4100300500000,
3049 SAFE HARBOR ROAD,
MANOR TOWNSHIP, LANCASTER, PA
17551

STEPHEN D. HOFFMAN
3049 SAFE HARBOR ROAD
MILLERSVILLE, PA 17551

AND ALL UNKNOWN OWNERS

Defendants.

CIVIL ACTION – LAW

Docket No. 5:17-CV-00723

ORDER

AND NOW, this 23rd day of August, 2017, upon consideration of Plaintiff's

Omnibus Motion for Preliminary Injunction for Possession of Rights of Way by August 18, 2017

Pursuant to the Natural Gas Act and Federal Rules of Civil Procedure 71.1 and 65, and the

accompanying documents, Defendant's opposition thereto, Plaintiff's Reply, and after a hearing

and oral argument being held, it is hereby **ORDERED** that the Motion is **GRANTED**. It is

further **ORDERED** as follows:

(1) Transcontinental Gas Pipe Line Company, LLC (“Transco”) has the substantive right to condemn the following easements and rights of way (collectively referred to as the “Rights of Way”):

- a. A permanent right of way and easement of 2.02 acres, as described as “Area of Proposed CPLS R/W” in Exhibit A attached hereto, for the purpose of constructing, operating, maintaining, altering, repairing, changing but not increasing the size of, replacing and removing a pipeline and all related equipment and appurtenances thereto (including but not limited to meters, fittings, tie-overs, valves, cathodic protection equipment, and launchers and receivers) for the transportation of natural gas, or its byproducts, and other substances as approved by the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017), together with a right of way and easement to construct, maintain, operate, repair, alter, replace and remove cathodic protection equipment and the necessary appurtenances thereto, such as but not limited to poles, guy wires, anchors, rectifiers, power lines, cables, deep well anode and anode ground beds under, upon, and over the permanent access easement, and conducting all other activities as approved by the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017); together with all rights and benefits necessary or convenient for the full enjoyment or use of the right of way and easement. Further, the landowner shall not build any permanent structures on said permanent right of way or any part thereof, will not change the grade of said permanent right of way, or any part thereof, will not plant trees on said permanent right of way, or any part thereof, or use said permanent right of way or any part thereof for a road, or use said permanent right of way or any part thereof in such a way as to interfere with Transco’s immediate and unimpeded access to said permanent right of way, or otherwise interfere with Transco’s lawful exercise of any of the rights herein granted without first having obtained Transco’s approval in writing; and the landowner will not permit others to do any of said acts without first having obtained Transco’s approval in writing. Transco shall have the right from time to time at no additional cost to landowners to cut and remove all trees including trees considered as a growing crop, all undergrowth and any other obstructions that may injure, endanger or interfere with the construction and use of said pipeline and all related equipment and appurtenances thereto; and
- b. Temporary easements of 2.76 acres, as described as “Area of Proposed Temporary Work Space #1” and “Area of Proposed Temporary Work Space #2” in Exhibit A attached hereto, for use during the pipeline construction and restoration period only for the purpose of ingress, egress and regress and to enter upon, clear off and use for construction and all

other activities approved by the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017).

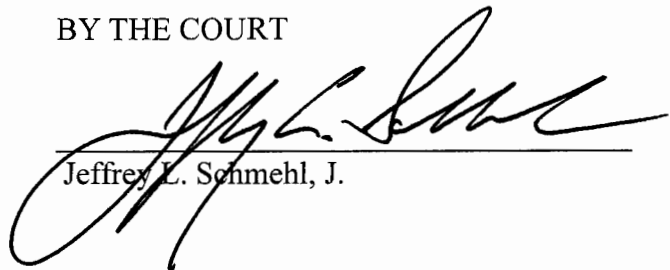
(2) Upon filing the bond required below, beginning August 18, 2017, Transco is granted access to, possession of and entry to the Rights of Way for all purposes allowed under the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017);

(3) In the event of a violation of this Order by Defendants, such as interference with Transco's possession of the Rights of Way by Defendants or by third parties who are authorized by Defendants to be on the Property, the U. S. Marshal Service, or a law enforcement agency it designates, shall be authorized to investigate and to arrest, confine in prison and/or bring before the Court any persons found to be in violation of this Order and in contempt of this Order, pending his/her compliance with the Court's Order.

(4) Transco shall post a bond in the amount of \$41,910.00 as security for the payment of just compensation to Defendants.

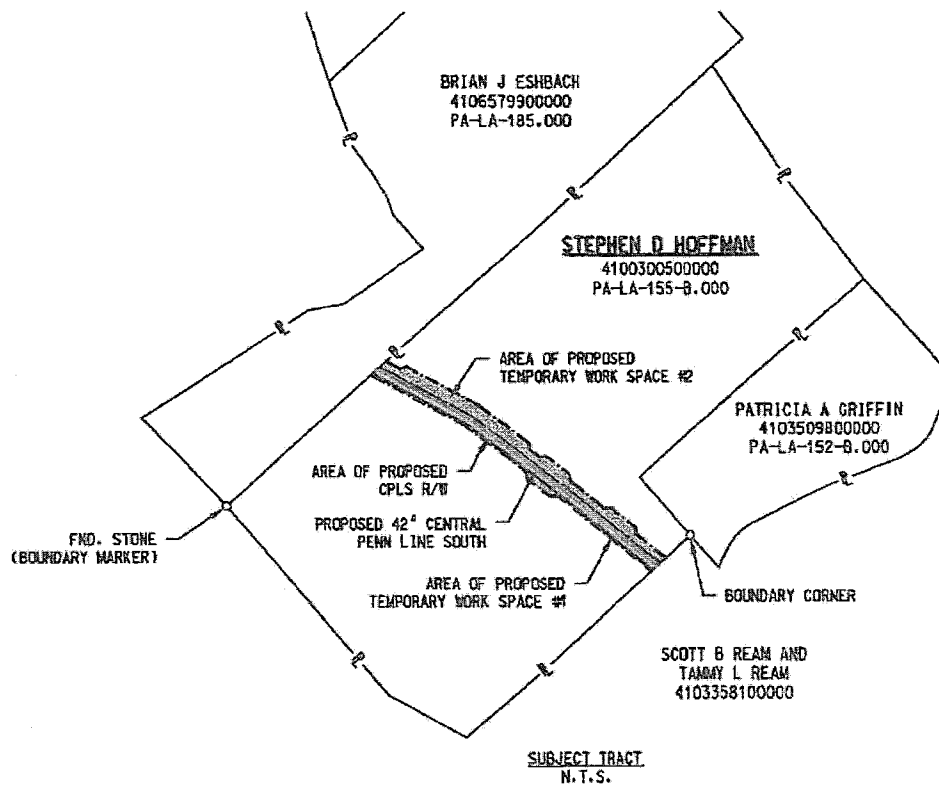
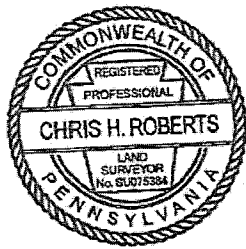
(5) Transco shall record this Order in the Office of the Recorder of Deeds for Lancaster County, Pennsylvania.

BY THE COURT



Jeffrey L. Schmehl, J.

EXHIBIT A



NOTES:

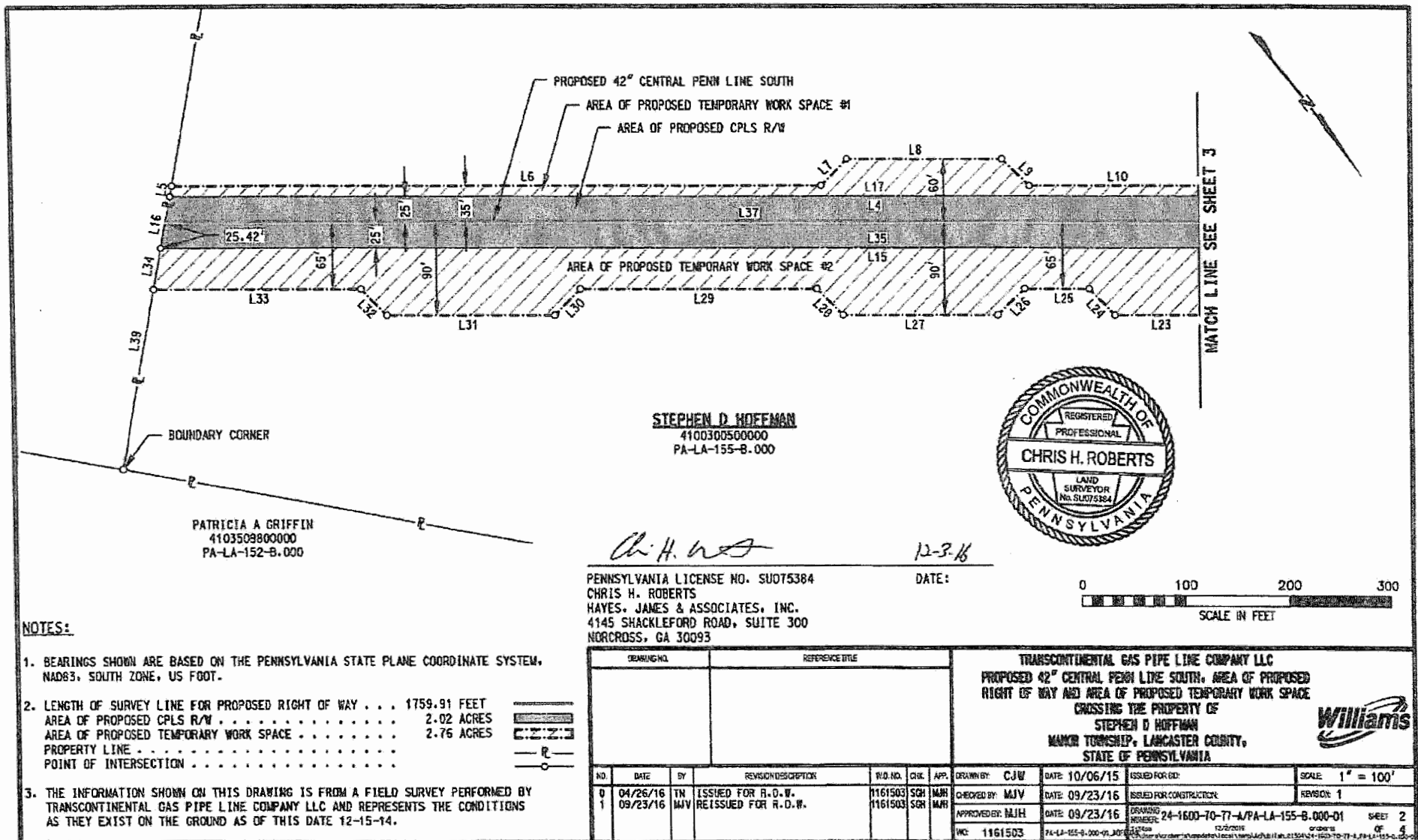
- BEARINGS SHOWN ARE BASED ON THE PENNSYLVANIA STATE PLANE COORDINATE SYSTEM, NAD83, SOUTH ZONE, US FOOT.
- LENGTH OF SURVEY LINE FOR PROPOSED RIGHT OF WAY . . . 1759.91 FEET
AREA OF PROPOSED CPLS R/W 2.02 ACRES
AREA OF PROPOSED TEMPORARY WORK SPACE 2.76 ACRES
PROPERTY LINE
POINT OF INTERSECTION
- THE INFORMATION SHOWN ON THIS DRAWING IS FROM A FIELD SURVEY PERFORMED BY TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC AND REPRESENTS THE CONDITIONS AS THEY EXIST ON THE GROUND AS OF THIS DATE 12-15-14.



DRAWING NO.		REFERENCE TITLE	

TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC									
PROPOSED 42" CENTRAL PENN LINE SOUTH, AREA OF PROPOSED RIGHT OF WAY AND AREA OF PROPOSED TEMPORARY WORK SPACE CROSSING THE PROPERTY OF									
STEPHEN D HOFFMAN									
MAJOR TOWNSHIP, LANCASTER COUNTY, STATE OF PENNSYLVANIA									
NO.		DATE	BY	REVISION DESCRIPTION	W.D. NO.	CHK.	APP.	DRAWN BY:	CJW
0		04/26/16	TW	ISSUED FOR R.O.W.	1161503	SGH	MJH		
1		09/23/16	MJV	REISSUED FOR R.O.W.	1161503	SGH	MJH		
CHECKED BY:		MJV		DATE:	09/23/16		ISSUED FOR CONSTRUCTION:		
APPROVED BY:		MJH		DATE:	09/23/16		DRAWING NUMBER:	24-1600-70-71-A/PA-LA-155-8.000-01	
W.D. 1161503		PA-LA-155-8.000-01		12/17/2014		OF 4		SHEET 1	





CONNECTION COURSES

LINE #	BEARING	DISTANCE
L1	N48°38'28"E	1019.57'
L39	N48°43'18"E	174.18'

AREA OF PROPOSED TEMPORARY WORK SPACE #1

LINE #	BEARING	DISTANCE
L2	N48°38'28"E	11.32'
L3	S61°37'26"E	546.36'
L4	S51°44'00"E	1213.83'
L5	S48°43'18"W	10.17'
L6	N51°44'00"W	624.23'
L7	S83°16'00"W	35.36'
L8	N51°44'00"W	150.00'
L9	N06°44'00"W	35.36'
L10	N51°44'00"W	386.89'
L11	N61°37'26"W	535.49'
L12	N64°10'42"W	13.95'

AREA OF PROPOSED CPLS R/W

LINE #	BEARING	DISTANCE
L13	N48°38'28"E	53.30'
L14	S61°37'26"E	532.23'
L15	S51°44'00"E	1227.38'
L16	S48°43'18"W	50.84'
L17	N51°44'00"W	1213.83'
L18	N61°37'26"W	546.36'

AREA OF PROPOSED TEMPORARY WORK SPACE #2

LINE #	BEARING	DISTANCE
L19	N48°38'28"E	42.64'
L20	S61°37'26"E	81.75'
L21	N73°22'34"E	35.36'
L22	S61°37'26"E	416.34'
L23	S51°44'00"E	315.04'
L24	S06°44'00"E	35.36'
L25	S51°44'00"E	62.99'
L26	N83°16'00"E	35.36'
L27	S51°44'00"E	150.00'
L28	S06°44'00"E	35.36'
L29	S51°44'00"E	227.40'
L30	N83°16'00"E	35.36'
L31	S51°44'00"E	160.98'
L32	S06°44'00"E	35.36'

CONTINUED AREA OF PROPOSED TEMPORARY WORK SPACE #2

LINE #	BEARING	DISTANCE
L33	S51°44'00"E	198.98'
L34	S48°43'18"W	40.68'
L35	N51°44'00"W	1227.38'
L36	N61°37'26"W	532.23'

LENGTH OF SURVEY LINE FOR PROPOSED RIGHT OF WAY

LINE #	BEARING	DISTANCE
L37	N51°44'00"W	1220.61'
L38	N61°37'26"W	539.30'



NOTES:

- BEARINGS SHOWN ARE BASED ON THE PENNSYLVANIA STATE PLANE COORDINATE SYSTEM, NAD83, SOUTH ZONE, US FOOT.
- LENGTH OF SURVEY LINE FOR PROPOSED RIGHT OF WAY . . . 1759.91 FEET
AREA OF PROPOSED CPLS R/W 2.02 ACRES
AREA OF PROPOSED TEMPORARY WORK SPACE 2.76 ACRES
PROPERTY LINE
POINT OF INTERSECTION
- THE INFORMATION SHOWN ON THIS DRAWING IS FROM A FIELD SURVEY PERFORMED BY TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC AND REPRESENTS THE CONDITIONS AS THEY EXIST ON THE GROUND AS OF THIS DATE 12-15-14.



DRAWING NO.		REFERENCE TITLE		TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC PROPOSED 42" CENTRAL PENN LINE SOUTH, AREA OF PROPOSED RIGHT OF WAY AND AREA OF PROPOSED TEMPORARY WORK SPACE CROSSING THE PROPERTY OF STEPHEN D HOFFMAN MANOR TOWNSHIP, LANCASTER COUNTY, STATE OF PENNSYLVANIA						
NO.	DATE	BY	REVISION DESCRIPTION	NO.	CHK	APP.	DRAWN BY: CJW	DATE: 10/06/15	ISSUED FOR:	SCALE: N/A
0	04/26/16	TN	ISSUED FOR R.O.W.	1161503	SGH	MJH	CHECKED BY: MJV	DATE: 09/23/16	ISSUED FOR CONSTRUCTION:	REVISOR: 1
1	09/23/16	MJV	REISSUED FOR R.O.W.	1161503	SGH	MJH	APPROVED BY: MJH	DATE: 09/23/16	DRAWING NUMBER: 24-1600-70-TT-A/PA-LA-155-B-000-01	SHEET 4
NO: 1161503		PA-LA-155-B-000-01-001		12/2/2015		11/15/2015		11/15/2015		11/15/2015

STEPHEN D. HOFFMAN
PA-LA-155-B.000

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN MANOR
TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

PROPOSED RIGHT-OF-WAY - COMMENCE FROM A STONE FOUND AT THE
SOUTHWESTERLY PROPERTY CORNER OF THE GRANTOR HAVING A
PENNSYLVANIA STATE PLANE COORDINATE OF (N: 227269.67', E: 2345368.05',
NAD 83, SOUTH ZONE) AND ALONG THE SAID WESTERLY PROPERTY LINE OF
THE GRANTOR NORTH 48 DEGREES 38 MINUTES 28 SECONDS EAST A
DISTANCE OF 1,030.89 FEET TO A POINT; SAID POINT BEING THE **POINT OF**
BEGINNING; THENCE FROM THE POINT OF BEGINNING AS THUS ESTABLISHED
AND CONTINUING ALONG THE SAID WESTERLY PROPERTY LINE OF THE
GRANTOR NORTH 48 DEGREES 38 MINUTES 28 SECONDS EAST A DISTANCE
OF 53.30 FEET TO A POINT; THENCE DEPARTING THE SAID WESTERLY
PROPERTY LINE OF THE GRANTOR SOUTH 61 DEGREES 37 MINUTES 26
SECONDS EAST A DISTANCE OF 532.23 FEET TO A POINT; THENCE SOUTH 51
DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 1,227.38 FEET TO A
POINT ON THE EASTERLY PROPERTY LINE OF THE GRANTOR; THENCE
ALONG THE SAID EASTERLY PROPERTY LINE OF THE GRANTOR SOUTH 48
DEGREES 43 MINUTES 18 SECONDS WEST A DISTANCE OF 50.84 FEET TO A
POINT; THENCE DEPARTING THE SAID EASTERLY PROPERTY LINE OF THE
GRANTOR NORTH 51 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE
OF 1,213.83 FEET TO A POINT; THENCE NORTH 61 DEGREES 37 MINUTES 26
SECONDS WEST A DISTANCE OF 546.36 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 2.02 ACRES (BEING 87,988
SQUARE FEET) AS SHOWN ON DRAWING NUMBER:
24-1600-70-77-A/PA-LA-155-B.000-01.

PROPOSED TEMPORARY WORK SPACE #1 - COMMENCE FROM A STONE
FOUND AT THE SOUTHWESTERLY PROPERTY CORNER OF THE GRANTOR
HAVING A PENNSYLVANIA STATE PLANE COORDINATE OF (N: 227269.67', E:
2345368.05', NAD 83, SOUTH ZONE) AND ALONG THE SAID WESTERLY
PROPERTY LINE OF THE GRANTOR NORTH 48 DEGREES 38 MINUTES 28
SECONDS EAST A DISTANCE OF 1,019.57 FEET TO A POINT; SAID POINT BEING
THE **POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING AS
THUS ESTABLISHED AND CONTINUING ALONG THE SAID WESTERLY
PROPERTY LINE OF THE GRANTOR NORTH 48 DEGREES 38 MINUTES 28
SECONDS EAST A DISTANCE OF 11.32 FEET TO A POINT; THENCE DEPARTING
THE SAID WESTERLY PROPERTY LINE OF THE GRANTOR SOUTH 61 DEGREES
37 MINUTES 26 SECONDS EAST A DISTANCE OF 546.36 FEET TO A POINT;
THENCE SOUTH 51 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF
1,213.83 FEET TO A POINT ON THE EASTERLY PROPERTY LINE OF THE
GRANTOR; THENCE ALONG THE SAID EASTERLY PROPERTY LINE OF THE
GRANTOR SOUTH 48 DEGREES 43 MINUTES 18 SECONDS WEST A DISTANCE
OF 10.17 FEET TO A POINT; THENCE DEPARTING THE SAID EASTERLY
PROPERTY LINE OF THE GRANTOR NORTH 51 DEGREES 44 MINUTES 00
SECONDS WEST A DISTANCE OF 624.23 FEET TO A POINT; THENCE SOUTH 83

DEGREES 16 MINUTES 00 SECONDS WEST A DISTANCE OF 35.36 FEET TO A POINT; THENCE NORTH 51 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 150.00 FEET TO A POINT; THENCE NORTH 06 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 35.36 FEET TO A POINT; THENCE NORTH 51 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 386.89 FEET TO A POINT; THENCE NORTH 61 DEGREES 37 MINUTES 26 SECONDS WEST A DISTANCE OF 535.49 FEET TO A POINT; THENCE NORTH 64 DEGREES 10 MINUTES 42 SECONDS WEST A DISTANCE OF 13.95 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.50 ACRES (BEING 21,984 SQUARE FEET) AS SHOWN ON DRAWING NUMBER:
24-1600-70-77-A/PA-LA-155-B.000-01.

PROPOSED TEMPORARY WORK SPACE #2 - COMMENCE FROM A STONE FOUND AT THE SOUTHWESTERLY PROPERTY CORNER OF THE GRANTOR HAVING A PENNSYLVANIA STATE PLANE COORDINATE OF (N: 227269.67', E: 2345368.05', NAD 83, SOUTH ZONE) AND ALONG THE SAID WESTERLY PROPERTY LINE OF THE GRANTOR NORTH 48 DEGREES 38 MINUTES 28 SECONDS EAST A DISTANCE OF 1,084.19 FEET TO A POINT; SAID POINT BEING THE **POINT OF BEGINNING**; THENCE FROM THE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG THE SAID WESTERLY PROPERTY LINE OF THE GRANTOR NORTH 48 DEGREES 38 MINUTES 28 SECONDS EAST A DISTANCE OF 42.64 FEET TO A POINT; THENCE DEPARTING THE SAID WESTERLY PROPERTY LINE OF THE GRANTOR SOUTH 61 DEGREES 37 MINUTES 26 SECONDS EAST A DISTANCE OF 81.75 FEET TO A POINT; THENCE NORTH 73 DEGREES 22 MINUTES 34 SECONDS EAST A DISTANCE OF 35.36 FEET TO A POINT; THENCE SOUTH 61 DEGREES 37 MINUTES 26 SECONDS EAST A DISTANCE OF 416.34 FEET TO A POINT; THENCE SOUTH 51 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 315.04 FEET TO A POINT; THENCE SOUTH 06 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 35.36 FEET TO A POINT; THENCE SOUTH 51 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 62.99 FEET TO A POINT; THENCE NORTH 83 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE OF 35.36 FEET TO A POINT; THENCE SOUTH 51 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 150.00 FEET TO A POINT; THENCE SOUTH 06 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 35.36 FEET TO A POINT; THENCE SOUTH 51 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 227.40 FEET TO A POINT; THENCE NORTH 83 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE OF 35.36 FEET TO A POINT; THENCE SOUTH 51 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 160.98 FEET TO A POINT; THENCE SOUTH 06 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 35.36 FEET TO A POINT; THENCE SOUTH 51 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 198.98 FEET TO A POINT ON THE EASTERLY PROPERTY LINE OF THE GRANTOR; THENCE ALONG THE SAID EASTERLY PROPERTY LINE OF THE GRANTOR SOUTH 48 DEGREES 43 MINUTES 18 SECONDS WEST A DISTANCE OF 40.68 FEET TO A POINT; THENCE DEPARTING THE SAID EASTERLY PROPERTY LINE OF THE GRANTOR NORTH 51 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 1,227.38 FEET TO A POINT; THENCE NORTH 61 DEGREES 37 MINUTES 26 SECONDS WEST A DISTANCE OF 532.23 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 2.26 ACRES (BEING 98,270
SQUARE FEET) AS SHOWN ON DRAWING NUMBER:
24-1600-70-77-A/PA-LA-155-B.000-01.